Amended Proof No. 04059 Map #79

Serial No. 04059 Amended

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant United States of America, Forest Service

1200 Franklin Way (Street and No. or P.O. Box No.) of Sparks, (City or town)

Nevada 89431 (State and Zip Code No.)

(2) Source of water Tunnel Spring (Name of natural water source.)

(3) The water is diverted by headbox and pipe (Dam, ditch, pipe line, natural channel, spring area, etc.)

(4) The water is diverted at the following point(s) NW1/4 NW1/4, Sec. 19, T.13N., R.46E., MDB&M (unsurveyed), or at a point from which the SE corner Sec. 33, T.13N., R.46E. bears S47°30'E at 21,400 feet.

(Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.)

(5) The water is impounded in trough (Troughs, tanks, pools, reservoir, natural channel, etc.)

(6) The construction of the ditch or other works was begun prior to 1960 (Date)

and completed prior to 1960 (Date).

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is reserved from the public domain for National Forest purposes on 4-15-1907, and remains so today. (Patented, deeded, public domain with grazing permit, etc.)

(8) The claimant's water right XXX was (was not) recorded in the office of the County Recorder of Nye County, at Page ..... of Book ..... of .....

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

(9) The approximate number of animals watered by the ~~claimant~~ original user XXXXXXXX during the first year Date 1885 was 500 cattle horses sheep or 50 deer Other. The watering was conducted during each of the following months April through October

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

200 cattle currently use the water from Tunnel Spring from June through

If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.

September. About 50 deer also use this spring.

(11) The amount of water which has been necessary to be diverted for this purpose has been .015* cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW1/4 NW1/4, Sec. 19, T.13N., R.46E., MDB&M (unsurveyed)

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks The use of this spring by livestock and deer has been continuous since 1885.

*This includes water used for consumption by and propagation of wildlife.

Remarks

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United States of America, Forest Service.

are full and correct to the best of his knowledge and belief.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

United States of America, Forest Service
R.M. "JIM" NELSON, Forest Supervisor.
Claimant

Telephone No.(.....)

By R.M. Nelson
1200 Franklin Way
Sparks, NV 89431
Street and No., or P.O. Box No.

City, State, Zip Code No.

Telephone No.(.....)

Subscribed and sworn to before me this 3rd day of April, 1984.

Marcia Joseph

Notary Public in and for the County of Washoe

My commission expires October 29, 1985

$50 FILING FEE MUST ACCOMPANY PROOF

Map No. 79

Serial No. 04059

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR STOCK WATERING PURPOSES

(1) Name of claimant United States of America - Forest Service

111 N Virginia St., Rm 601 of Reno
Street and No. or P.O. Box No. City or town

Nevada 89501
State and Zip Code No.

(2) Source of water Tunnel Spring
Name of natural water source.

(3) The water is diverted by Headbox and pipe
Dam, ditch, pipe line, natural channel, spring area, etc.

(4) The water is diverted at the following point(s) NW¼NW¼, Sec. 19, T.13N., R.46E.,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land it should be stated. Diversion over a channel reach must be described by course and distance to a section corner for both the beginning and end of such reach.

MDB&M (unsurveyed) or at a point from which the SE corner Sec. 33., T.13N., R. 46E., bears S 47° 15' E at 21,300 feet.

(5) The water is impounded in trough
Troughs, tanks, pools, reservoir, natural channel, etc.

(6) The construction of the ditch or other works was begun prior to 1960
Date

and completed prior to 1960.
Date

(7) The nature of the claimant's title to the land upon which the source of water and place of use are located is reserved from the public domain land for National Forest purposes on
Patented, deeded, public domain with grazing permit, etc.

4-15-1907, and remains so today.

(8) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of

Nye County, at Page ..... of Book ..... of .....

NOTE—Failure to record in the county in no way invalidates a water right, but if water right was so recorded, supply full information under (8).

(9) The approximate number of animals watered by the ~~claimant~~ origional user during the first year 1885 (Date), was 500 cattle ..... horses ..... sheep or 50 deer (Other) ..... The watering was conducted during each of the following months .....

(10) The approximate number of animals watered by the claimant in subsequent years was as follows:

200 cattle currently use the water from Tunnel Spring from June through September. About 50 deer also use this spring.

If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given.

(11) The amount of water which has been necessary to be diverted for this purpose has been .015* cubic feet per second.

448.83 gal. per min. equals 1 cubic foot per second.

(12) The works are located at NW¼NW¼, Sec. 19, T.13N., R.46E., MDB&M (unsurveyed)

Describe as being within a 40-acre subdivision, section, township and range of public survey. If on unsurveyed land, it should be stated.

Remarks The use of this spring by livestock and deer has been continuous since 1885.

* This includes water used for consumption by and propagation of wildlife.

Remarks .....

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by United States of America - Forest Service are full and correct to the best of his knowledge and belief.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant.

United States of America - Forest Service
R.M. "Jim" NELSON, Forest Supervisor
Claimant

By R.M. Nelson

111 N Virginia St., Rm 601
Street and No., or P.O. Box No.

Reno, NV 89501
City, State, Zip Code No.

Subscribed and sworn to before me this 1st day of February, 1983.

Marcia Joseph

Notary Public in and for the County of Washoe

My commission expires October 29, 1985

MARCIA JOSEPH
Notary Public - State of Nevada
Appointment Recorded in Carson City
MY APPOINTMENT EXPIRES OCT. 29, 1985

$50 FILING FEE MUST ACCOMPANY PROOF